

REMARKS

Claims 1-20 were pending at the time of examination. Claim 1 is withdrawn from consideration. Claims 2-3, 5-7, 9 and 11-14 have been amended. Claim 10 has been cancelled. No new matter has been added. The applicants respectfully request reconsideration based on the foregoing amendments and these remarks.

Claim Rejections – 35 U.S.C. § 103

Claims 2-20 were rejected under 35 U.S.C § 103(a) as being unpatentable over U.S. Patent Publication No. 2003/0155079 to Bailey, III et al. (hereinafter "Bailey").

Claims 2-9 were also rejected under 35 U.S.C § 103(a) as being unpatentable over U.S. Publication No. 4,852,593 to Daugherty (hereinafter "Daugherty"). The applicants respectfully traverse these rejections.

With respect to the rejection of claims 2-20 as being unpatentable over Bailey, the applicants respectfully submit that Bailey is an improper reference. The present application claims priority back to June 30, 2000. Bailey was filed on November 15, 1999 and published on August 21, 2003, which is after the filing date for the present application. Furthermore, even if Bailey later were to issue as a patent, it would only potentially qualify as prior art under 103(a)/102(e)(2), and as such not be citable against the pending application since both Bailey and the present application were, at the time the invention was made, owned by Lam Research Corporation or subject to an obligation of assignment to Lam Research Corporation. For at least these reasons, the rejection of claims 2-20 over Bailey is unsupported by the art and should be withdrawn.

With respect to the rejection of claims 2-9 as being unpatentable over Daugherty, the applicants have amended claim 2 to incorporate the limitations of claim 10, which specify that the component is a "plasma forming component." The applicants respectfully submit that for a variety of reasons the automatic carwash of Daugherty does not render obvious the "method for processing a work piece with a plasma forming component of a process recipe," as claimed in claim 2. For at least these reasons, the rejection of claim 2 over Daugherty is unsupported by the art and should be withdrawn.

For reasons substantially similar to those set forth above, the applicant respectfully contends that the rejection of claim 15 and its dependent claims 16-20 is unsupported by the cited art and should be withdrawn.

Conclusion

The applicant believes that all pending claims are allowable and respectfully requests a Notice of Allowance for this application from the Examiner. Should the Examiner believe that a telephone conference would expedite the prosecution of this application, the undersigned can be reached at the telephone number set out below.

Respectfully submitted,

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